



# JOAN BALLWEG

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AB 297: Copying, Making Available, and Required Notices on, Certain Vital Records.  
Testimony of State Representative Joan Ballweg  
Assembly Committee on State Affairs and Government Operations  
September 16, 2015

Thank you, Chair Swearingen and members of the committee, for hearing AB 297 today. This bill, also introduced last session, makes it easier for residents to research and promote Wisconsin's history by removing the prohibition against publishing vital records older than October 1, 1907. I have introduced Assembly Bill 297 at the request of the Wisconsin Register of Deeds Association (WRDA).

At the suggestion of the WRDA, we have introduced Assembly Amendment 1 to AB 297. This amendment requires such documents are marked "NOT FOR IDENTITY PURPOSES" to serve as further protection against identity fraud.

The Senate author of this legislation, Senator Hansen, has a group of constituents that are in the process of cataloging and publishing records relating to the early days of the city of Green Bay. However, as the project progressed they were dismayed to learn that putting those records online could result in a felony charge. This bill repeals the prohibition against publishing, in electronic format, vital records of events taking place before October 1, 1907. This group has developed a great website that can be a resource to students and teachers when studying Wisconsin and Brown County history. Our goal is that this bill will preserve that resource.

Thank you for your time. I'm happy to answer any questions.



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Wednesday September 16, 2015

RE: 2015 Assembly Bill 297

Dear Committee on State Affairs and Government Operations:

The Wisconsin Register of Deeds Association (WRDA) would like to go on record supporting AB-297 as amended requiring a statement on the face of the document "NOT FOR IDENTITY PURPOSES".

Brief History

- Current statute does not allow anyone other than the state or local registrar to make available an electronic copy of a vital record – this is a Class I felony
- Vital records were not mandatory to file with the state until October 1, 1907 – any record previous to this was filed only at the county level and at the family's discretion
- The LaBaye Institute has a collection of artifacts available online to educate citizens on its rich history and would like to share online the pre-1907 vital records they have purchase
- Genealogists would like to electronically share their purchased pre-1907 vital records legally with their families

Register of Deeds Comments

- We have asked for the bill to be amended requiring a statement on the face of the document "NOT FOR IDENTITY PURPOSES"
  - Per s.69.21(2)(d)(2) an uncertified copy shall have on its face the following text: "UNCERTIFIED COPY. Not valid for identification purposes" , if this applies to the local registrar it should also apply to others
- As an elected official we have the duty to:
  - preserve the public record
  - Protect our constituents from possible identify theft and/or fraud
  - Maintain the integrity and security of the vital record
- We would like to partner with the genealogists to make their findings easier to share in a safe, legal manner

Staci M. Hoffman

Wisconsin Register of Deeds President